



February 20, 2009

HOUSE BILL No. 1730

DIGEST OF HB 1730 (Updated February 18, 2009 7:43 pm - DI 113)

Citations Affected: IC 6-1.1.

Synopsis: Green project public approval exception. Indicates that a project for the reconstruction, repair, alteration or retrofitting of a public building or structure to bring it into compliance with certain energy and environmental design standards is not subject to petition and remonstrance or referenda procedures.

Effective: July 1, 2009.

Kersey

January 22, 2009, read first time and referred to Committee on Rules and Legislative Procedures.
February 9, 2009, reassigned to Committee on Ways and Means.
February 19, 2009, amended, reported — Do Pass.

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HB 1730—LS 6585/DI 44+



February 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1730

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 6-1.1-20-1.1, AS AMENDED BY P.L.146-2008,
2 SECTION 188, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: Sec. 1.1. As used in this chapter,
4 "controlled project" means any project financed by bonds or a lease,
5 except for the following:
6 (1) A project for which the political subdivision reasonably
7 expects to pay:
8 (A) debt service; or
9 (B) lease rentals;
10 from funds other than property taxes that are exempt from the
11 levy limitations of IC 6-1.1-18.5 or (before January 1, 2009)
12 IC 20-45-3. A project is not a controlled project even though the
13 political subdivision has pledged to levy property taxes to pay the
14 debt service or lease rentals if those other funds are insufficient.
15 (2) A project that will not cost the political subdivision more than
16 the lesser of the following:
17 (A) Two million dollars (\$2,000,000).

HB 1730—LS 6585/DI 44+



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- 1 (B) An amount equal to one percent (1%) of the total gross
 2 assessed value of property within the political subdivision on
 3 the last assessment date, if that amount is at least one million
 4 dollars (\$1,000,000).
 5 (3) A project that is being refinanced for the purpose of providing
 6 gross or net present value savings to taxpayers.
 7 (4) A project for which bonds were issued or leases were entered
 8 into before January 1, 1996, or where the state board of tax
 9 commissioners has approved the issuance of bonds or the
 10 execution of leases before January 1, 1996.
 11 (5) A project that is required by a court order holding that a
 12 federal law mandates the project.
 13 (6) A project that:
 14 (A) is in response to:
 15 (i) a natural disaster;
 16 (ii) an accident; or
 17 (iii) an emergency;
 18 in the political subdivision that makes a building or facility
 19 unavailable for its intended use; and
 20 (B) is approved by the county council of each county in which
 21 the political subdivision is located.
 22 (7) A project that was not a controlled project under this section
 23 as in effect on June 30, 2008, and for which:
 24 (A) the bonds or lease for the project were issued or entered
 25 into before July 1, 2008; or
 26 (B) the issuance of the bonds or the execution of the lease for
 27 the project was approved by the department of local
 28 government finance before July 1, 2008.
 29 **(8) A project for the construction, repair, alteration, or**
 30 **retrofitting of a public building or structure designed with the**
 31 **goal of achieving:**
 32 **(A) the standards for existing buildings under the United**
 33 **States Green Building Council's Leadership in Energy and**
 34 **Environmental Design (LEED) rating system;**
 35 **(B) the Green Globes Two Globes level; or**
 36 **(C) an equivalent standard under an equivalent rating**
 37 **system that is accredited by the American National**
 38 **Standards Institute.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1730, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1730 as introduced.)

CRAWFORD, Chair

Committee Vote: yeas 11, nays 8.

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